

REMARKS

This Amendment is being filed in response to the Office Action mailed October 29, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, the Examiner objected to claim 4 for a certain informality. In response, claim 4 has been amended to remove the noted informality. It is respectfully submitted that the objection to claim 4 has been overcome and withdrawal of this objection is respectfully requested.

In the Office Action, claims 1-10 are rejected under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2002/0097194 (Uchida) in view of U.S. Patent Application Publication No. 2004/0212300 (Chao). It is respectfully submitted that claims 1-2 and 4-10 are patentable over Uchida and Chao for at least the following reasons.

Uchida is directed to an electronic apparatus that has both an organic electroluminescent device and a liquid crystal display

(LCD) device. As correctly noted on page 4 of the Office Action, Uchida does not disclose or suggest the present invention as recited in independent claim 1, which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the fastening means is a perimeter seal providing, in co-operation with the first and second substrate, a closed housing for the first and second light emitting device.

Chao is cited in an attempt to remedy the deficiencies in Uchida.

It is respectfully submitted that Chao is not prior art to the present application. The present application has an effective filing date of August 8, 2003, which is before the Chao publication date of October 28, 2004, as well as before the filing date of the Chao publication date of July 28, 2003. That is, the Chao was filed and published after the effective filing date of the present application. As the effective filing date of the present application of August 8, 2003 is before the Chao filing date of July 28, 2003, Chao is not available as prior art with regard to the present application.

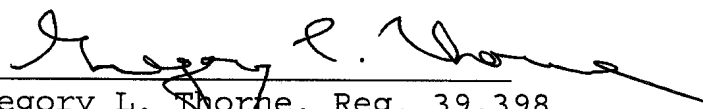
Accordingly, it is respectfully submitted that independent

claim 1 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2 and 4-10 should also be allowed at least based on their dependence from amended independent claim 1.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398

Attorney for Applicant(s)

January 27, 2009

THORNE & HALAJIAN, LLP

Applied Technology Center

111 West Main Street

Bay Shore, NY 11706

Tel: (631) 665-5139

Fax: (631) 665-5101